

replace the current paper-based and error-prone I-9 process upon which E-Verify is based with an electronic verification system. H.R. 5515 would use the existing new hire registry reporting process already used by over 90 percent of U.S. employers. This bill will create a national employment verification system for new hires that's reliable and efficient.

With E-Verify scheduled to expire this year, now is the time for the Congress to create a new way to move forward that prevents unauthorized employment. I urge my colleagues to co-sponsor H.R. 5515.

#### HONORING THE UNIVERSITY OF MEMPHIS BASKETBALL TEAM

(Mr. COHEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COHEN. Mr. Speaker, as an alumnus of the University of Memphis Law School and the congressman from the University of Memphis district, I still grieve over the outcome of the game Monday night, but I want to congratulate the University of Kansas for winning the national basketball championship and thank the city of San Antonio for being such a wonderful host.

On behalf of the citizens of Memphis, I want the country to know we love our team. They brought our city together, which needed a unifying force. We are proud that our coach who made that team what it was has been named the National Coach of the Year by the Naismith Society.

Our players played valiantly. We came very, very close to a national championship. We won more games than any team in NCAA history. We will look back upon this year with fondness and appreciation and we will, like General MacArthur, return.

#### THE HUGO CHAVEZ RULE

(Mr. DREIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, it pains me greatly to stand here in the well and report to our colleagues that the Rules Committee late yesterday afternoon reported out what can only be described as the Hugo Chavez rule.

For the first time in the 34-year history of trade promotion authority, we have now decided that we are going to take the action of turning our backs on an agreement that we have made with our closest, most important and strongest ally on the continent of South America.

The Vice President of Colombia has described this action as a slap in the face. Hugo Chavez and the narcoterrorists in Colombia are celebrating this action. It is an absolute outrage that we would do this.

I have to say that this administration 4 years ago embarked on these ne-

gotiations, 2 years ago completed the negotiations, a year and a half ago signed the negotiations. Since August of last year, 265 meetings have been held with Democratic Members by members of the administration, cabinet officials and all, and 27 meetings have been held with the Democratic leadership.

It is time for us to complete this work. It's time for us to strengthen this very important alliance.

I urge my colleagues on both sides of the aisle to vote "no" on the Hugo Chavez rule.

#### PROVIDING FOR CONSIDERATION OF H.R. 2537, BEACH PROTECTION ACT OF 2007

Ms. MATSUI. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1083 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 1083

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 2537) to amend the Federal Water Pollution Control Act relating to beach monitoring, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII before the beginning of consideration of the bill and except pro forma amendments for the purpose of debate. Each amendment so printed may be offered only by the Member who caused it to be printed or his designee and shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

SEC. 2. During consideration in the House of H.R. 2537 pursuant to this resolution, not-

withstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore. The gentleman from California is recognized for 1 hour.

Ms. MATSUI. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend, the gentleman from Florida (Mr. LINCOLN DIAZ-BALART).

All time yielded during consideration of the rule is for debate only.

#### GENERAL LEAVE

Ms. MATSUI. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to insert extraneous materials into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Ms. MATSUI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1083 provides an open rule with a preprinting requirement for consideration of H.R. 2537, the Beach Protection Act of 2007.

The resolution provides 1 hour of general debate, controlled by the Committee on Transportation and Infrastructure.

Some of our Nation's greatest treasures are the beautiful beaches that surround our country. So many of us have spent time with our families and friends enjoying our country's picturesque coastlines. Our beaches not only provide a place for relaxation and recreation, they are also a vital economic engine that draws tourists from all over the globe.

As a mother and a grandmother, I want to ensure that our Nation's children are swimming and enjoying our beaches that are safe and free of any harmful contamination. Unfortunately, a recent EPA report found that human health studies over the last 50 years have linked swimming and polluted water with significant adverse health effects. Swimming-related diseases can range from minor gastrointestinal diseases to more serious illnesses such as meningitis or hepatitis.

This is extremely troubling and is a great concern to all of us. According to the National List of Beaches, only 57 percent of the Nation's coastal recreation areas are being monitored.

In my home State of California, 114 of our 356 beaches are not monitored, leaving a huge amount of people at risk. That is why I would like to thank Representative PALLONE for his work on such an important piece of legislation, legislation that builds on the ambitious vision that the 1972 Clean Water Act set forth.

As an original author of the 2000 bill, my friend from New Jersey has long been recognized for his efforts to clean up our Nation's beaches.

I would also like to thank Representative TIM BISHOP for his leadership and work on this issue.

The Beach Protection Act builds on the great effort of the original BEACH Act and is a vital tool that will help ensure the safety of our national coastal treasures. Under the 2000 BEACH Act, the EPA was required to work with States to ensure they use the latest science to test beach waters to protect the public health.

States are required to notify the public if tests showed water quality standards were violated. The law also helps States set up monitoring and notification programs in order to provide up-to-date information on the condition of all public beaches.

H.R. 2537, the Beach Protection Act of 2007, advances the good work of the original act and takes us into the next generation of water monitoring. The bill increases the authorization through 2012 for the EPA's beach program by \$10 million to \$40 million per year. This money will be used to provide grants to States along the coasts and Great Lakes for recreational water monitoring and notification programs.

H.R. 2537 also clarifies and enhances public notification when coastal waters are likely contaminated. Visitors to our beaches need to know when there is potential threat to their health. The bill clarifies that the public must be notified within 24 hours when a contaminated water sample is found. The bill also requires that a physical sign must be posted at any beach where the water may be contaminated. This information is essential for public awareness and avoidance of harmful pollutants.

H.R. 2537 also promotes increased compliance. It requires the EPA administrator to conduct an annual review of implementation by State and local governments. If the public is not being protected, it requires the EPA to take corrective actions.

Representative PALLONE has shown tremendous leadership with this bill that puts public safety at the forefront and goes to great lengths to protect our Nation's beaches. I know he has worked closely with my friend and colleague, Representative EDDIE BERNICE JOHNSON, who chairs the Transportation and Infrastructure Subcommittee on Water Resources and Environment.

Later today we will debate the chairwoman's manager's amendment that directs the EPA to complete and use a rapid-testing technology. This type of testing is intended to shorten the period between when a water sample is taken and when results are made public. When this testing is in place, the period of time necessary for testing coastal waters is likely to shorten from 24 to simply 2 or 3 hours.

Passage of the Beach Protection Act of 2007 is an important step to promoting public health and ensuring that the millions of people who visit our coastal treasures remain safe.

Mr. Speaker, I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, first of all I

would like to thank my good friend, the gentlewoman from California (Ms. MATSUI) for the time, and I yield myself such time as I may consume.

Mr. Speaker, Florida is the number one travel destination in the world, with over 80 million visitors last year. They contributed over \$60 billion to the economy of the State.

Part of the reason so many people come to Florida is because of the over 1,200 miles of beautiful beaches throughout the State. Florida's great beaches provide an endless wealth of recreational opportunities. But in order for everyone to enjoy those great beaches we have to make sure that the waters are safe and that they are clean.

In 2000, Congress passed the Beaches Environmental Assessment and Coastal Health Act. That legislation was passed to limit and prevent human exposure to polluted coastal recreation waters by assisting States and local governments to implement beach monitoring assessment and public notification programs. In addition, that act required States and tribes with coastal recreation waters to adopt minimum water quality standards for pathogens and pathogen indicators.

The legislation being brought to the floor today with this rule would reauthorize the BEACH Act through 2012 and increase the annual authorized appropriation from \$30 million to \$40 million.

□ 1030

Again, Mr. Speaker, the majority likes to proclaim that they have offered yet another bill under what they call an open rule; but this is not an open rule, this is a restrictive rule.

According to a Survey of Activities of the House Committee on Rules from the 104th Congress, an open rule is defined as "one under which any Member may offer an amendment that complies with the standing rules of the House and the Budget Act."

A modified open rule, requiring preprinting in the CONGRESSIONAL RECORD, is defined as a type of rule that permits the offering only of those amendments printed in the CONGRESSIONAL RECORD. Because Members under this rule must submit their amendments prior to floor consideration, they are prohibited from offering amendments on the floor as the debate progresses.

So if a Member is watching the debate and has an idea to improve the bill, this rule prevents that Member from offering their amendment. So by its very nature, this rule is restrictive. It is not an open rule and the majority should stop calling it that.

I also would like to point out that once again the majority offers even this modified open rule, or modified restrictive rule on noncontroversial bills, bills with obvious bipartisan support. For example, the underlying legislation passed the House Transportation and Infrastructure Committee by a unanimous vote.

If the majority really wants to live up to their campaign promise of a more open and bipartisan Congress, then they should offer a truly open rule on this bill, and on bills where there is some controversy as well.

On Tuesday, a distinguished member of the Rules Committee, the gentleman from Washington (Mr. HASTINGS), offered an amendment to the rule which would have allowed the House to consider this noncontroversial bill under a truly open rule. However, that amendment was defeated.

So instead, here we are 16 months into the new majority under another restrictive rule. Other than on appropriations bills, the new majority has allowed only one open rule. Today they had the chance to double the number of open rules; but instead, they decided to use a restrictive process for a noncontroversial bill.

I don't know what they are afraid of. The original BEACH Act was considered under a true open rule. We should have considered this bill under suspension of the rules which doesn't even require a rule, it just goes automatically to the floor because it is noncontroversial, and we should have instead finished our work on bipartisan legislation to protect Americans from international terrorism, the Foreign Intelligence Surveillance Act known as FISA.

Or we could have considered legislation to postponed the scheduled 10.1 percent cut in Medicare payments for physicians and other health care professionals.

Instead, what we are doing today, Mr. Speaker, what the majority leadership has decided to do today is to make this a day of legislative action that will live in infamy. Ever since 1974, legislation has existed, Mr. Speaker, to permit agreements that are negotiated with foreign governments by the United States, trade agreements, to come to this floor under the Trade Act of 1974 that established trade promotion authority, certainty in the rules process for when an agreement is negotiated so that our negotiating partners, countries we are negotiating with, know that there are certain rules. That if the United States makes a deal, enters into an agreement, that that agreement will be brought to the floor.

And so what the majority leadership in this Congress has done today is to say yes, yes, yes, but for and except Colombia. Colombia, that happens to be our best ally and friend in this hemisphere, under the measure today being brought to the floor by the majority leadership of this House, they are being insulted. And so our trade rules apply, yes; but for Colombia, Mr. Speaker. That is what the majority leadership has decided to do today.

What they have told Colombia, in the midst of a war against narcotraffickers, financed by narcotrafficking,

the enemies of Colombia, what the Democratic leadership of this House is telling the democratically elected government of Colombia today is: We don't care; we don't care. The trade rules apply to the world, but not to you.

Well, fortunately, there is an administration, an executive branch that is standing with the people of Colombia and their democratically elected government and President, President Alvaro Uribe. And there are a lot of Members in this House, Mr. Speaker, who also stand with the people of Colombia as they fight the terrorists, as they bravely confront the terrorists. There are a lot of us in this House who stand with the people of Colombia, and a lot of us in the Senate who do also. But unfortunately, the majority leadership has said to Colombia today: No, you're on your own.

Well, I want the people of Colombia to know that they are not alone. We will continue to stand with the people of Colombia and their democratically elected government despite this day of legislative action that will live in infamy because that is what the majority leadership has scheduled today. The exception, the legislative exception for, in this instance, the best ally that the United States has in this hemisphere, Colombia. And that's more than unfortunate.

Now, with regard to the legislation on beaches that is absolutely non-controversial, it should have been brought to the floor automatically. Obviously we are all in support of that legislation, Mr. Speaker.

I reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I would like to bring us back to the measure at hand which is H. Res. 1083 which provides for consideration of H.R. 2537, the Beach Protection Act of 2007, and I would like to yield 3 minutes to the gentlewoman from Florida (Ms. CASTOR), a member of the Rules Committee.

Ms. CASTOR. I thank my good friend and colleague from the Rules Committee.

Mr. Speaker, oftentimes there is great irony here in Washington, and here is another example. The House will consider today this rule and the Beach Protection Act. The intent of the Beach Protection Act is to protect America's beautiful coastlines from water pollution. But here is the irony: Big oil interests have filed an amendment that puts our beaches and America's coastlines at risk. Their proposed amendment seeks to open up our beautiful coastlines to offshore drilling of oil and gas. New offshore oil and gas drilling represents a real hazard to our marine environment, especially in my home State of Florida and the Tampa Bay area.

The beaches, the coastal environment, marine resources and our billion-dollar tourism industry in Florida should not be sacrificed for a small amount of oil and natural gas because the oil and natural gas that is pro-

jected to be recovered if we open up our offshore areas to drilling, it is projected to provide less than 1 month, 1 month supply of oil and gas.

In addition, researchers at the Department of Oceanography at the University of South Florida have warned that it would only take 24 hours for an petroleum spill in the eastern Gulf of Mexico to sully Florida's panhandle beaches and then sweep through the gulf's powerful loop current, travel through the Florida Keys and contaminate estuaries and beaches from the Everglades to Cape Canaveral.

We only have to look back to 2005, Hurricane Katrina, Hurricane Rita, and Hurricane Wilma ended up resulting in many oil and gas pollutants seriously affecting the beaches in the Gulf of Mexico. The storms caused 124 oil spills into the waters of the Gulf of Mexico. During Hurricane Katrina alone, 233,000 gallons of oil were spilled. There was 508,000 gallons of oil spilled during Hurricane Rita. A full year after Hurricane Katrina, BP admitted that a damaged oil well valve in the Gulf of Mexico was still leaking oil.

The knee-jerk reaction to take every opportunity, even a bill called the Beach Protection Act, to open up our beautiful coastline to additional oil drilling, especially in hurricane-prone waters like Florida's gulf coast is ridiculous, not just ironic.

So let's stay true to the Beach Protection Act, fight water pollution, strengthen our natural resources and our tourism economy and vote down the Peterson amendment today.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, just the State I am honored to represent alone, Florida, exports are expected to jump by over \$160 million, and 1,700 jobs are to be created in the first year alone if the agreement with Colombia is ratified. That is just the State that I am honored to represent alone.

At this point, Mr. Speaker, I would like to yield 5 minutes to the gentleman from Illinois (Mr. SHIMKUS).

(Mr. SHIMKUS asked and was given permission to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, I appreciate my colleague bringing up the issue of energy and the connection of energy to this bill because that is what we intend to do here today.

The irony behind this debate is that Americans really appreciate healthy beaches; but what they are really mad about is high gas prices. I have three kids, 15, 13 and 8. My wife is driving them all over the world to attend every event that kids do today, and the soccer moms of the world are outraged over the price of gas that they are paying.

And what has this Democrat majority been doing to continue to affect the price of gas, we just heard it, let's take more assets off the ability to explore. We just heard it from my colleague who just said no more exploration for oil. Where is the plan that the Speaker

touted would lower gas prices? That was over 700 days ago. We want answers. We want this majority to do something about the high cost of gasoline.

We have truck drivers prepared to strike over the price of diesel, \$4 a gallon gasoline is on the horizon, and this majority is doing nothing, nothing.

Here is the energy plan: When you have no energy plan, you plan to fail. When this majority took over, the price of a barrel of crude oil was \$58. What is it today, \$110 per barrel. That translates into a gasoline price of originally \$2.33 a gallon to now, \$3.34, \$3.50, \$3.75, and \$4. At \$3.44, that is a \$1.01 increase since this majority took over. Where is the energy plan to lower gasoline prices? The Speaker's plan means that you pay more in energy costs in this country.

The beaches that are affected in this legislation, Great Lakes, the coastal beaches, guess what, if I want to take advantage of these healthy beaches, I would have to drive about 285 miles to get to the Great Lakes. I would have to drive a lot farther, almost 745 miles to get to the gulf coast. Last year the cost to Chicago would be about \$53. This year the cost is \$76. We lose discretionary income when we allow gas prices to go up.

Another connection, to go to the great State of Florida to take my family on a vacation, that would have cost me last year \$138 to drive. This year, \$200 to drive. Do you think that is not going to affect the economy of the Florida coastal areas? Do you think that is going to halt our folks going to your State, my friend from Miami, to enjoy these great, healthy beaches. My folks can't afford to drive to these beaches to enjoy them anymore.

And what is the Democrat plan for gas prices? Silence. Nothing. The only plan is the plan to fail. The only plan is higher prices. Here it is: \$58 a barrel when you came in, \$110 a barrel today.

Let me give you some quotes. Speaker NANCY PELOSI said on April 24, 2006, "Democrats have a commonsense plan to bring down skyrocketing gas prices."

□ 1045

Well, these skyrocketing prices aren't going down, folks. Speaker PELOSI's plan is to have skyrocketing price increases for gasoline, not decreases. We got it wrong.

It's this whole change mentality. Change is good. Change can be bad. The change in this majority has been bad for the cost of energy in this country.

And what are we doing? We're talking about healthy beaches. Healthy beaches. We ought to be talking about the price of gasoline. We ought to be talking about the price of diesel fuel. We ought to be talking about the price of electricity generation, nuclear power, clean coal technology. But no, healthy beaches. I hope my folks can enjoy and benefit by these healthy beaches.

It's been days since Majority Leader STENY HOYER said, "Democrats believe that we can do more for the American people who are struggling to deal with high gas prices." Mr. Majority leader, what did you do? You raised prices. You didn't decrease prices. You raised prices. Everyone knows that prices have gone up.

Truckers are going to strike over record diesel prices. Diesel this week was at an average of more than \$4 a gallon in Oregon and Washington, and nearly \$4.12.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. LINCOLN DIAZ-BALART of Florida. I yield the gentleman an additional 2 minutes.

Mr. SHIMKUS. In California, according to the American Trucking Association, if a trucker is filling up a 300-gallon semi, that bill could top \$1,200.

We want to talk about competitive nature. We want manufacturing jobs in this country. Energy prices are killing our ability to compete in the world economy. It's killing our ability to get or product to the ports to ship them overseas to be competitive. It's killing our ability to manufacture the goods using innovation and technology, because that requires energy.

No energy plan is a plan to fail. Change is not always good. This is a change that the Democrat majority has brought us. \$58.31, the price of a barrel of crude oil upon the assumption of the leadership here in this chamber. Current price today, \$110.61. I have those on Velcro tabs so I can just keep following that price as it keeps going up.

Sometimes a barrel of crude oil is hard to follow. People don't know what it translates into. Well, I translated it earlier, from \$2.33 a gallon, to, on average, \$3.34 a gallon, and we know it's going to hit 4. We know it's going to hit 4. And when it hits 4, who are they going to call? They're going to call us. And what are we going to say? We're going to say, "Oh, the Democrats promised a plan in 2006 to lower prices." They're in the majority now. Let's see their plan.

A failure to plan is a plan that fails. You have no plan. We're increasing our costs. The economy is hurting, and we bring healthy beaches to the floor. Healthy beaches. High energy costs.

And my colleague who just followed me talked about excluding exploration of energy. She tied this debate to energy. She understood the importance.

The SPEAKER pro tempore. The time of the gentleman from Illinois has again expired.

Mr. LINCOLN DIAZ-BALART of Florida. I yield the gentleman 2 additional minutes.

Mr. SHIMKUS. Democrats have voted, not once, not twice, but four times to raise energy taxes on the 110th Congress.

There's a debate in the State of Illinois to lower our gas tax. Why? So the

average American citizen can afford to do the job. In rural America, when we have to drive long distances, this directly affects the pocketbook of every citizen in rural America. Every citizen. They're going to drive 20, 30, 40 miles just to go to work.

Talk about the inner cities and the traffic congestion, the people who are idling, they're going to end up paying more.

Four times the Democrats have said we're going to change the gas price debate here in America and we're going to lower prices. We know that that hasn't worked. Not only have they added insult to injury, they said not only aren't we paying enough in gas prices now, but we want to put more taxes on gasoline. Shoot, \$3.50 is not enough. Let's get to 4. Let's pay \$4.50 a gallon. Let's pay higher energy costs.

And what do we see? The periodicals and newspapers, the print media are starting to understand. In the Buffalo News, April 9: \$4 Gasoline Seems Possible This Summer.

There used to be a time when Americans got outraged at \$3 a gallon. Well, we've sensitized them to over \$3 a gallon. They were promised by the Democrat majority they would lower gas prices. They've increased gas prices. Now we have to get prepared for \$4 a gallon.

What's next?

No energy plan is a plan to fail. The Washington Times: Price at the Pump Likely to Reach \$4. Fox News, Denver, Colorado: \$4 Per Gallon Creeps Closer.

The SPEAKER pro tempore. The time of the gentleman from Illinois has again expired.

Mr. LINCOLN DIAZ-BALART of Florida. I yield the gentleman 1 additional minute, Mr. Speaker.

Mr. SHIMKUS. Friends, healthy beaches are important. We all want to benefit from them. I'd like to take my family to a beach. A lot of my constituents like to go there. But if they can't afford the gasoline in the minivan to get them to appreciate these healthy beaches, for what benefit?

The Democrats, when they were in the majority, promised us, I've got the quotes, they promised us lower gas prices, lower gas prices. I read the quotes. Speaker PELOSI, Majority Leader HOYER, I've got one from JIM CLYBURN. Lower prices.

What do we have? Higher prices? And it's about time you started accepting responsibility and do something about these high prices.

Ms. MATSUI. Mr. Speaker, I thought we were doing a rule and not special orders right now.

We are working on the rule for the beaches, and we want to keep Americans safe from water pollutants.

I want to say we have an obligation to ensure Americans are safe and healthy, and this act would do it.

I reserve my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 2 minutes

to the distinguished gentleman from Illinois (Mr. SHIMKUS).

(Mr. SHIMKUS asked and was given permission to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, I would understand my colleague would be upset about speaking. I would understand why you would be ashamed about talking about healthy beaches and not addressing the real concerns of America which is high energy costs.

I've been on the floor numerous times, motions to recommit over the past year and a half to talk about energy crises. One the big things I've talked about is coal to liquid technologies.

You know what? It was your colleague who stepped on the floor and talked about we don't want oil exploration off the coast. We don't want more crude oil supplies.

Well, I have a solution that would help keep our beaches healthy. Let's use coal to liquid technologies. Let's mine our vast abundant resource of coal right here. Let's build a coal to liquid refinery. In fact, Sasol, the South African energy company, just announced that the Brits are going to buy synthetic aviation fuel.

You know, we had all these aviation industry folks just go bankrupt, these low cost airlines that could get to these healthy beaches. You know one reason why they went bankrupt? The high cost of aviation fuel. Those are jobs gone. Those are the inability of me and my family on a low cost airline to appreciate these healthy beaches.

Well, I have a solution. They've been to the floor on motion to commit coal to liquid technology. Get our coal, refine it in to liquid fuels, put it in a pipeline and ship it to our commercial and military aviation.

I've been using this chart for a year and a half. Has this majority moved on decreasing our reliance on imported crude oil? Negligibly. Zip, zero. Maybe on the RFS. I voted for it. I appreciate that.

But doing anything to expand our ability to get our own resources, no, we're here talking about healthy beaches. We don't want to talk about crude oil exploration. We want to talk about pristine beaches. We don't want to talk about that we're paying \$110 per barrel of crude oil when it was \$58 when you all came into the majority. Translates to a dollar more in gas. It's going to reach 4.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. LINCOLN DIAZ-BALART of Florida. I yield the gentleman an additional 2 minutes.

Mr. SHIMKUS. So we have some options. We can be here spending all day talking about healthy beaches while our businesses and industries fall further behind, fail to compete because of high energy costs.

I haven't even got involved in climate change. Climate change is going

to bring additional cost to your gas tank, to your electricity. In fact, the only one who's been intellectually honest about this is Chairman DINGELL. What does he say? Fifty cents a gallon more to comply with climate change.

Now, if we want to do that, then let's vote on it. But you know what? You won't do it because it'll take that \$4 a gallon a gas and move it up to \$4.50.

Guess what? People are going to say, let's re-evaluate this. Let's understand if all the world nations are going to comply. Do we want all this pain, all that job dislocation, all these higher energy costs and no benefit?

If India and China do not comply, we get no benefit. All pain, no gain. All pain, job dislocation, higher energy costs, no gain. We ought to insist, before we go into any climate change agreement, that India and China sign on the dotted line verifiable that we know they're going to comply.

You know what? I've talked to them. They're not going to do it. They are not going to do it.

So why assume these costs? Why burden the American consumer? Why deplete our hotel and tourism industry by people not being able to get there, either through airlines who have failed or the ability to drive the long distances to get there.

This majority has had no plan to address. Well, they have. They've promised, lower gas prices, 2006. This Democrat majority promised lower gas prices, lower gas prices. What do we have? Higher gas prices. And no plan to mitigate.

You know how you mitigate it? You bring on more supply. And you all won't do that.

Ms. MATSUI. Mr. Speaker, I would inquire of the gentleman if he has any remaining speakers.

Mr. LINCOLN DIAZ-BALART of Florida. Yes. We have an additional speaker.

Ms. MATSUI. I reserve.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, it is my privilege to yield 4 minutes to the distinguished gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. Mr. Speaker, I rise today with a deep concern. We, as a country, will be a second-rate nation in the next decade if we don't have an energy policy. America needs an energy policy. We need to have a plan of how we're going to have available, affordable fuel for everybody to run our companies, to heat our homes, to drive our cars.

We don't have an energy policy, folks. We have a policy where we've locked up our resources and we're going to let the rest of the world produce. Our dependence on foreign oil has increased 2 percent a year every year for 20 years.

□ 1100

We are on that path of maybe going to 3 percent a year. Because when we don't produce, they do and we pay. We

have the rest of the world consuming greater and greater amounts of energy making us now bid for our energy.

I find it interesting. They like to say it's the six big American oil companies, or I guess it's five, that are the cause of our energy prices. The fact is, this Congress and the last three administrations are the reason we have high energy prices. This Congress locked up. This map right here shows we're the only country in the world that's locked up the outer continental shelf, the best and safest place to produce energy. Every country in the world produces there. Cuba will soon be producing energy 50-some miles off our coasts where we prohibit.

We need to have an energy policy. We need to open up our midwest. We need to open up our offshore. I have the bill. I heard talk in here a little bit ago about how we are going to savage the beaches. My bill opens up for natural gas only. The first 25 miles are locked up. The second 25 miles are only open if States choose to. The second 50 miles are open; States can still close it with the legislation. And the second hundred miles are open.

I ask for some Member of this Congress to show me a natural gas well that has ever polluted a beach. Natural gas bubbles up under the ground all over the country from gas pressure in the earth. Natural gas comes out of the ground naturally, and if we put a 6-inch hole in the ground, it comes out in a commercial way that we can heat our homes.

America has had the highest natural gas prices in the world. Natural gas is not a world price. Oil is a world price. Natural gas is not a world price. For 7 years now, soon going on 8, we've had the highest natural gas prices in the world, and our fertilizer companies are leaving because they use so much of it. Our petrochemical manufacturers are leaving, our polymers and plastic companies are leaving. People who have bend metal, treat metal, cook food are going to do it in other places where natural gas is a fraction than it is here. Clean, green natural gas is what America ought to be running on until we have viable renewable.

I met with wind people this morning. I'm for all the wind we can get. But if we double wind and solar, which so many people are counting on, in the next 5 years we will be less than three-quarters of 1 percent of our energy needs.

I find it unexplainable that we have the highest fuel prices for trucks and cars, the highest heating home costs on record, and this Congress doesn't even talk about it. We don't have a plan. We are doing stimulus packages because energy is taking the life out of our economy.

We're going to need to do a stimulus package every 6 months, because as soon as we inject another \$220 billion in, the energy policies of this country are going to suck it right back out because Americans are going to spend

more and more. We have \$3.40 gasoline, soon to be \$4, and if we have a storm in the gulf this summer, we will be looking at \$5 gasoline. \$5 gasoline will sink our economy.

We must have an energy policy.

Ms. MATSUI. I reserve.

Mr. LINCOLN DIAZ-BALART of Florida. We have no further speakers, Mr. Speaker, and I appreciated the debate. Obviously, the legislation is of importance, the subject is of importance. We do need to preserve, protect that great treasure that our beaches are, but there are a number of issues that do need to be discussed that are not being discussed.

Unfortunately, one issue that should not be discussed is going to be discussed today which is to single out and discriminate against Colombia, our best friend in this hemisphere, in a shocking way, ultimately an unfortunate way.

We have no further speakers on this legislation, and I yield back the balance of my time.

Ms. MATSUI. Mr. Speaker, I thank the gentleman from Florida, and I yield myself the balance of my time.

First, let me say that there is no need to open up more sensitive natural areas to drilling. The United States has 3 percent of the world's resources but 25 percent of the demand. It is obvious that there is no way for us to drill our way to energy independence.

If we are really concerned about lowering energy costs and reducing dependence on foreign oil, we need to invest in renewable resources, and we have passed legislation to do just that.

The open rule before us today is a fair rule that allows for debate on the important issues that face our country, from water pollutants to public health concerns. It is Congress' responsibility to set high standards and assert proper oversight of these issues.

The underlying bill, H.R. 2537, takes huge steps to promote public health throughout the great beaches of our country and ensure that our beaches will be preserved for future generations to enjoy and benefit from.

Congress has a distinct obligation to future generations to keep our water clean and preserve our beaches. This bill increases funding for States to effectively monitor the coasts, ensure swift public notification and takes us into the next generation of water monitoring. We have a commitment to keep the millions who visit our beaches safe and informed. This bill does just that, and I urge its adoption.

Mr. Speaker, I urge a "yes" vote on the previous question and on the rule.

I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. MATSUI. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

### THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. MATSUI. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 of rule XX, this 15-minute vote on approval of the Journal will be followed by 5-minute votes on adoption of H. Res. 1083 and motion to suspend the rules on H. Res. 1038.

The vote was taken by electronic device, and there were—yeas 228, nays 182, answered “present” 1, not voting 19, as follows:

[Roll No. 178]

YEAS—228

Abercrombie	Crowley	Holden
Ackerman	Cuellar	Holt
Allen	Cummings	Honda
Altmire	Davis (AL)	Hooley
Arcuri	Davis (CA)	Hoyer
Baca	Davis (IL)	Inslee
Baird	Davis, Lincoln	Israel
Baldwin	DeFazio	Jackson (IL)
Barrow	DeGette	Jackson-Lee
Bean	DeLahunt	(TX)
Becerra	DeLauro	Jefferson
Berkley	Dent	Johnson (GA)
Berman	Dicks	Johnson (IL)
Berry	Dingell	Johnson, E. B.
Bishop (GA)	Doggett	Kagen
Blumenauer	Donnelly	Kanjorski
Boren	Doyle	Kaptur
Boswell	Edwards	Kennedy
Boucher	Ellison	Kildee
Boyd (FL)	Emanuel	Kilpatrick
Boyd (KS)	Engel	Kind
Brady (PA)	Eshoo	Kirk
Braley (IA)	Etheridge	Kucinich
Brown, Corrine	Farr	Lampson
Brown-Waite,	Fattah	Langevin
Ginny	Filner	Larsen (WA)
Buchanan	Fortenberry	Latham
Butterfield	Foster	Lee
Calvert	Frank (MA)	Levin
Capps	Giffords	Lewis (GA)
Capuano	Gillibrand	Lipinski
Cardoza	Gonzalez	Loeb
Carnahan	Goodlatte	Loftgren, Zoe
Carney	Green, Al	Lowe
Carson	Green, Gene	Lynch
Castor	Grijalva	Mahoney (FL)
Chandler	Gutierrez	Maloney (NY)
Clarke	Hall (NY)	Markey
Clay	Hare	Marshall
Cleaver	Harman	Matheson
Clyburn	Hastings (FL)	Matsui
Cohen	Herseth Sandlin	McCarthy (NY)
Conyers	Higgins	McCollum (MN)
Cooper	Hill	McDermott
Costa	Hinchey	McGovern
Costello	Hinojosa	McIntyre
Courtney	Hirono	McNerney
Cramer	Hodes	McNulty

Meek (FL)	Rahall	Spratt
Meeks (NY)	Rangel	Stark
Melancon	Reyes	Sutton
Michaud	Richardson	Tanner
Miller (NC)	Rodriguez	Tauscher
Miller, George	Ross	Taylor
Mollohan	Rothman	Thompson (MS)
Moore (KS)	Roybal-Allard	Thierney
Moore (WI)	Ruppersberger	Towns
Moran (VA)	Ryan (OH)	Tsongas
Murphy (CT)	Salazar	Udall (NM)
Murphy, Patrick	Sanchez, Linda	Van Hollen
Murtha	T.	Velázquez
Nadler	Sanchez, Loretta	Visclosky
Napolitano	Sarbanes	Walz (MN)
Neal (MA)	Schakowsky	Wasserman
Oberstar	Schiff	Schultz
Obey	Schwartz	Waters
Oliver	Scott (GA)	Watson
Ortiz	Scott (VA)	Watt
Pallone	Serrano	Waxman
Pascarell	Sestak	Welch (VT)
Pastor	Shea-Porter	Whitfield (KY)
Paul	Sherman	Wilson (OH)
Payne	Skeltton	Woolsey
Peterson (MN)	Slaughter	Wu
Peterson (PA)	Smith (WA)	Wynn
Pickering	Snyder	Yarmuth
Pomeroy	Solis	
Price (NC)	Space	

NAYS—182

Aderholt	Gilchrest	Petri
Akin	Gingrey	Pitts
Alexander	Goode	Platts
Bachmann	Graves	Poe
Bachus	Hall (TX)	Porter
Barrett (SC)	Hastings (WA)	Price (GA)
Bartlett (MD)	Hayes	Pryce (OH)
Barton (TX)	Heller	Putnam
Biggert	Hensarling	Radanovich
Bilbray	Herger	Regula
Bilirakis	Hobson	Rehberg
Blackburn	Hoekstra	Reichert
Blunt	Hulshof	Renzi
Boehner	Hunter	Reynolds
Bonner	Inglis (SC)	Rogers (AL)
Bono Mack	Issa	Rogers (KY)
Boozman	Johnson, Sam	Rogers (MI)
Boustany	Jones (NC)	Rohrabacher
Brady (TX)	Jordan	Ros-Lehtinen
Broun (GA)	Keller	Roskam
Brown (SC)	King (IA)	Royce
Burgess	King (NY)	Sali
Burton (IN)	Kingston	Saxton
Camp (MI)	Kline (MN)	Schmidt
Campbell (CA)	Knollenberg	Sensenbrenner
Cannon	Kuhl (NY)	Sessions
Cantor	LaHood	Shadegg
Capito	Lamborn	Shays
Carter	LaTourette	Shimkus
Castle	Latta	Shuler
Chabot	Lewis (CA)	Shuster
Coble	Lewis (KY)	Simpson
Cole (OK)	Linder	Smith (NE)
Conaway	LoBiondo	Smith (NJ)
Crenshaw	Lucas	Smith (TX)
Culberson	Lungren, Daniel	Souder
Davis (KY)	E.	Stearns
Davis, David	Mack	Stupak
Davis, Tom	Manzullo	Sullivan
Deal (GA)	Marchant	Terry
Diaz-Balart, L.	McCarthy (CA)	Thompson (CA)
Diaz-Balart, M.	McCaul (TX)	Thornberry
Doolittle	McCotter	Tiahrt
Drake	McCrery	Tiberi
Dreier	McHenry	Turner
Duncan	McHugh	Udall (CO)
Ehlers	McKeon	Upton
Ellsworth	McMorris	Walberg
Emerson	Rodgers	Walden (OR)
English (PA)	Mica	Walsh (NY)
Everett	Miller (FL)	Wamp
Fallin	Miller (MI)	Weldon (FL)
Feeney	Miller, Gary	Weller
Flake	Mitchell	Westmoreland
Forbes	Moran (KS)	Wilson (NM)
Fossella	Murphy, Tim	Wilson (SC)
Fox	Musgrave	Wittman (VA)
Franks (AZ)	Myrick	Wolf
Frelinghuysen	Neugebauer	Young (AK)
Galleghy	Nunes	Young (FL)
Garrett (NJ)	Pence	
Gerlach	Perlmutter	

ANSWERED “PRESENT”—1

Tancred

NOT VOTING—19

Andrews	Gordon	Rush
Bishop (NY)	Granger	Ryan (WI)
Bishop (UT)	Jones (OH)	Sires
Buyer	Klein (FL)	Weiner
Cubin	Larson (CT)	Wexler
Ferguson	Pearce	
Gohmert	Ramstad	

□ 1130

Mr. HAYES changed his vote from “yea” to “nay.”

Messrs. ALTMIRE, McDERMOTT, and CARNEY changed their vote from “nay” to “yea.”

So the Journal was approved.

The result of the vote was announced as above recorded.

### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, April 9, 2008.

Hon. NANCY PELOSI,  
Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: I have the honor to transmit herewith a scanned copy of a certificate from the Honorable Debra Bowen, Secretary of State for the State of California, indicating that, according to the semi-final official canvass of votes from the Special Election held April 8, 2008, the Honorable Jackie Speier was elected Representative to Congress for the Twelfth Congressional District, State of California.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER.

Enclosure.

### CERTIFICATE OF ELECTION

I, Debra Bowen, Secretary of State of the State of California, hereby certify:

That according to the semi-final official canvass of votes cast in the Special Primary Election held on the 8th day of April, 2008 in the 12th Congressional District, Jackie Speier was elected to the office of United States Representative, District 12 for the term prescribed by law.

In witness whereof, I hereunto set my hand and affix the Great Seal of the State of California at Sacramento, this 9th day of April 2008.

DEBRA BOWEN,  
Secretary of State.

### SWEARING IN OF THE HONORABLE JACKIE SPEIER, OF CALIFORNIA, AS A MEMBER OF THE HOUSE

The SPEAKER. Will the Representative-elect and the members of the California delegation present themselves in the well.

Ms. SPEIER appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which